

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	8:13CR135
)	
Plaintiff,)	
)	
v.)	MEMORANDUM
)	AND ORDER
DANIEL T. RAY,)	
)	
Defendant.)	

This matter is before the court on its own Motion. On August 8, 2013, the court entered a Memorandum and Order adopting Magistrate Judge Thalken's findings and recommendation. (Filing [39](#).) In doing so, the court noted that Defendant had not objected to the findings and recommendation. (*Id.*) However, Magistrate Thalken had previously granted an oral motion to continue the time to object to the findings and recommendation. (Filing 40.) Defendant has now filed an objection to the findings and recommendation. (Filing [44](#).)

Accordingly,

IT IS ORDERED that:

1. The court's August 8, 2013, Memorandum and Order (filing [39](#)) is withdrawn. Plaintiff's Motion to Suppress (filing [21](#)) remains pending and Magistrate Thalken's findings and recommendation (filing [33](#)) remains unadopted.
2. Plaintiff may file a brief opposing Defendant's objections within 14 days of this Memorandum and Order.

DATED this 12th day of August, 2013.

BY THE COURT:

Richard G. Kopf

Senior United States District Judge

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